

HID 007A (Rev. 02 /14) Motion to Appear Pro Hac Vice

UNITED STATES DISTRICT COURT

for the
District of Hawaii

JOHN T. HAYS, III,

Plaintiff

v.

VDF FUTURECEUTICALS, INC., et al.,

*Defendant*Case No. CIVIL NO. 15-00535 LEK-RLP**MOTION TO APPEAR PRO HAC VICE**

(Attach Declaration of Counsel in support of motion. \$300.00 assessment required to be paid through Pay.gov.)

Name of Attorney:	Robert D. Leighton		
Firm Name:	Goldberg Kohn, Ltd		
Firm Address:	55 East Monroe, Suite 3300 Chicago, Illinois 60603		
Attorney CM/ECF Primary email address:	robert.leighton@goldbergkohn.com		
Firm Telephone:	(312) 863-7194	Firm Fax:	(312) 863-7467
Party Represented:	Defendant VDF Futureceuticals, Inc., R. J. Van Drunen & Sons, Inc., and Van Drunen Farms		
Name/Address of Local Counsel	Gregory W. Kugle, Esq./E. Kumau Pineda-Akiona, Esq. Damon Key Leong Kupchak Hastert 1003 Bishop Street, Suite 1600, Honolulu, HI 9681		

Pursuant to LR 83.1(e) of the Local Rules of Practice for the United States District Court for the District of Hawaii, the undersigned applies for an order permitting the above-named attorney to appear and participate as counsel pro hac vice for the above-named party in all matters in the above-captioned case or proceeding. This request is based on the declaration of the attorney seeking to appear pro hac vice.

JUL 13 2016

Dated:



Signature*

Gregory W. Kugle

(Print name if original signature)

*If this motion is being signed by local counsel on behalf of the applicant, the signature constitutes consent to the designation as associate counsel; otherwise such consent shall be filed separately.

HID 007A (Rev.02 /14) Declaration of Counsel

UNITED STATES DISTRICT COURT

for the
District of Hawaii

John T. Hays, III

Plaintiff

v.

VDF Futureceuticals, Inc., R.J. Van Drunen & Sons, Inc. et al.

*Defendant*Case No. 15-00535 LEK-RLP

DECLARATION OF COUNSEL

(Attach to Motion to Appear Pro Hac Vice.)

Name of Declarant: Robert D. Leighton

I am not a resident of the District of Hawaii, am not regularly employed in the District of Hawaii, and am not regularly engaged in business, professional or law-related activities in the District of Hawaii, and that:

1. The city and state of my residence and office address is:

Chicago, Illinois.

Office address: 55 East Monroe, Suite 3300, Chicago, Illinois 60603.

2. I have been admitted to practice in the following courts on the dates noted:

Illinois (Nov. 2008, Bar No. 6296424);

N.D. Illinois (Dec. 2008); E.D. Texas (Sept. 2011);

U.S. Court of Appeals for the Federal Circuit (Dec. 2010); U.S. Court of Appeals for the Seventh Circuit (Feb. 2011)

3. I am in good standing and eligible to practice in the following courts (declarant may state "All of the courts identified in paragraph 2"):

All of the courts identified in paragraph 2

4. I (a) am not currently involved in disciplinary proceedings before any state bar, federal bar, or any equivalent; (b) have not in the past 10 years been suspended, disbarred, or otherwise subject to other disciplinary proceeding before any state bar, federal bar, or its equivalent; (c) have not been denied admission pro hac vice by any court or agency in the past 10 years; and (d) have not been the subject of a criminal investigation known to the attorney or a criminal prosecution or conviction in any court in the past ten (10) years.

5. If I am concurrently making or have made within the preceding year a motion to appear pro hac vice in a case or proceeding in the District of Hawaii, the title and number of each matter is stated below, together with the date of the motion and whether the motion was granted.
6. I designate the following to serve as associate counsel who is a member in good standing of the bar of the United States District Court for the District of Hawaii and maintains an office in this district, with the address, telephone and fax numbers, and e-mail address noted:
Gregory W. Kugle, Esq. 6502-0
E. Kumau Pineda-Akiona, Esq. 9790-0
1003 Bishop Street, Suite 1600, Honolulu, HI 96813
7. **CM/ECF: *Filing documents electronically/Receiving e-mail notification.***
☒ Full participation. I am requesting a waiver of the required CM/ECF training. I am a registered user of CM/ECF in the following Bankruptcy and/or District Court(s):
N.D. Illinois; E.D. Texas
☐ Full participation. Computer Based Training (CBT) completed. I have completed CBT modules 1 and 2 currently available on the USDC District of Hawaii website at: www.hid.uscourts.gov
a. I will abide by all orders, rules, and administrative procedures governing the use of my login and password and the electronic filing of documents in the CM/ECF system of the United States District Court for the District of Hawaii.
b. Use of my CM/ECF User login and password constitutes my signature on an electronically filed document for all purposes and shall have the same force and effect as if I had affixed my signature on a paper copy of the document being filed (full participation registrants only).
c. I may authorize one or more employees or office staff members to use my login and password for the electronic filing of a document. However, such use constitutes my signature on the electronically filed document. I will not knowingly permit use of my login and password by anyone not so authorized, I shall take steps to prevent such unauthorized use, and I shall be fully responsible for all use of the login and password whether authorized or unauthorized. If authorization to use a login and password is withdrawn (e.g., when a staff member leaves employment) or if unauthorized use of a login and password is suspected, I shall select and activate a new password for use in the CM/ECF system. I also shall immediately notify the court upon learning of any unauthorized use. I understand that failure to change the password and notify the court may result in sanctions (full participation registrants only).
d. This registration constitutes my waiver of service of a paper copy of a notice and a request in writing that, instead of notice by mail, notice be sent to me by electronic transmission through the court's CM/ECF system. This also constitutes my consent in writing to accept service of documents by e-mail through the CM/ECF system. I will maintain an active e-mail account for notice and service by electronic transmission, and will keep such e-mail account information current in my CM/ECF User account.

I declare under penalty of perjury that the foregoing is true and correct. (Attach any additional pages if any further explanation is needed)

Dated: July 5, 2016


Signature

CONSENT OF LOCAL COUNSEL

(Local counsel may sign below if consent is not recorded elsewhere.)

Dated: _____

Signature

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

John T. Hays, III)	Case. No. 15-00535 LEK-RLP
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	APPEAR PRO HAC VICE AS TO
vs.)	<u>Robert D. Leighton</u>
)	
VDF Futureceuticals, Inc., R.J. Van Drunen & Sons, Inc.)	
et al.)	
)	
Defendant.)	
_____)	

ORDER GRANTING MOTION
TO APPEAR PRO HAC VICE

The Court GRANTS the Motion of Robert D. Leighton to
Appear Pro Hac Vice.

Name of Attorney:	Robert D. Leighton
Firm Name:	Goldberg Kohn, Ltd.
Firm Address:	55 East Monroe, Suite 3300 Chicago, Illinois 60603
Attorney CM/ECF Primary email address:	robert.leighton@goldbergkohn.com
Firm Telephone:	312-863-7194
Party Represented	Defendants VDF Futureceuticals, Inc., R. J. Van Drunen & Sons, Inc., and Van Drunen Farms

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, _____